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. . . . The 40th meeting of the CIA RETIREMENT BOARD convened at 2:05 p.m. on Tuesday, 2 August 1966, in room 5E62 Hq., with the following present:

Mr. Emmett D. Echols, Chairman

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Mr. Alan M. Warfield, DDS Member

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MR. ECHOLS: While we're waiting for the other members,

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might tell us what happened at the hearing.

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We had our hearing with the House Armed Services Subcommittee that is considering our amendments to our retirement system, and it went just beautifully -- they hardly even asked us questions.

MR. ECHOLS: As you know, we have some nice goodies in there -- particularly that reemployment of annuitants.

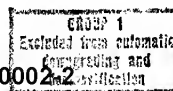
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Have you gone over, here, the details of the amendments? Do we know, other than the fact they're goodies, what kind of goodies they are?

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Yes, we did. It's to restore the foreign service reemployment compensation that we lost out on with the Senate the last time around. To get authority to transfer the Government contributions to our Fund when somebody with prior service comes into the CIA system. We picked up two changes Civil Service had made in defining "child." One, they dropped the requirement that a child be

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dependent on the retiring parent in order to qualify for an annuity. They have also said that a child who is a student can be considered a child until age 22, rather than age 21, which is the present rule.

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[REDACTED]: And the cost-of-living factor.
[REDACTED] Yes -- the Daniels Bill, which was 8.1 for Civil Service, and may be a little bit better for us.

The retention of the annuity by a widow after re-marriage. Civil Service got through an amendment this year that would permit the annuity to be continued if a widow remarried after age 60. Under the Foreign Service it never terminates if a widow remarries -- and we're asking again for the Foreign Service language rather than Civil Service.

MR. ECHOLS: The Committee has asked us to come back with some additional information, have they not?

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[REDACTED] Yes. They don't understand why any non-dependent child survivor should get an annuity. And we're having trouble explaining -- we have CSC's testimony on this change -- but it went to permitting the child of a working mother to receive a survivor annuity. They don't get back to the basic question -- which, incidentally, Charlie Bennett asked -- why should a non-dependent child get any kind of survivor annuity from the Fund, whether the employee parent was the father or the mother.

MR. ECHOLS: What is a non-dependent child, though?

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[REDACTED] It's hard to think of one under 18, but presumably--

MR. ECHOLS: Self-employed, or is employed, makes him non-dependent--

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MR. WARFIELD: Or adopted by a grandparent--

MR. ECHOLS: Or adopted by other people -- that might be a good case.

Well, shall we formally convene now, and tackle the Minutes of the 19 July meeting? I noted, since I was not here for that meeting, paragraph 3, and off hand, as I haven't talked with Larry, but I think the answer is simply to put in an amendment to our Regulation, if we can, that will give us real leeway. In other words, some simple escape clause that "on the recommendation of the Career Service concerned" -- or something like that -- or a statement from them that they will see that the individual has the opportunity to serve abroad, if that would permit them to stay in the system -- that would be a simple escape clause. So I'll work up an escape clause and submit it to the Board.

MR. WARFIELD: Would that mean a change in the Regulation?

MR. ECHOLS: I think it would have to be done that way.

MR. WARFIELD: Then shouldn't we try to get some of the other things in at the same time? -- unless you figure we can just do this in-house.

MR. ECHOLS: That's the point. I think our General Counsel is of the opinion that there are some changes that we can make strictly in-house, and there are others we wouldn't dare to so make. But if we have other changes we would like to look at at the same time, it certainly would be better to look at them one time than six different times. Or maybe it would be better just to sneak through one little change in-house as precedent for future changes -- because if we bring up several things then we may have a major problem on our hands. What did you have in mind?

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MR. WARFIELD: We have run across some things from time to time -- I can't remember what they are right now.

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[REDACTED] One thing might be this five year admittance-- because a man admitted with less than five years' Agency service and then removed from the System has no continuing benefits, and all we can do is refund everything to him. We have taken the position that we will defer admitting anyone until after he has completed five years. Now General Counsel, I remember, had a further comment on this five year problem, but I think that was tied to the Bureau of Compensation benefits or five year plan. I've forgotten just exactly the tie-in, but they had something on this, too. You see, our law and Regulation at the moment provides not less than three, but it doesn't specifically say: should have five or more.

MR. ECHOLS: Well, are there any additions or corrections to the Minutes? (No response.) If not, we will accept them as presented.

Our first item of business is Group A, seven cases of persons with 15 or more years of service and who meet all criteria for designation. Any discussion on any of these cases?

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[REDACTED] Mr. Chairman, I move these seven individuals be designated as participants.

MR. WARFIELD: Second.

. . . . This motion was then passed

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MR. ECHOLS: Group B is one individual who in six months will have completed his 15 years -- [REDACTED] -- and he meets the basic criteria.

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[REDACTED] Move his designation.

MR. WARFIELD: Second.

. . . . This motion was then passed

MR. ECHOLS: Group C, 37 employees with five or more years of Agency service, who have been nominated and appear to meet all the basic criteria.

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[REDACTED] Move designation of this group of 37 employees.

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[REDACTED] Before I second this motion, in the first case this man has nine years and eight months of Federal service, six years and eight months of Agency service, and he needs another 35 months of qualifying service, which he can just barely squeeze in if he gets overseas in the next four months. So this is one of those cases which have been over the horizon, and is now going to be upon us.

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[REDACTED] I don't quite understand that. He will need 35 more months in the next 13 years--

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MR. WARFIELD: Yes -- he would need only 11 more months--

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[REDACTED] By the 10 year point he needs 36 months.

[REDACTED] Oh, he only needs another year.

MR. WARFIELD: Emmett, there was one of these cases that had service that was interrupted by contractual service -- but I can't seem to find it here right now.

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[REDACTED] in Group C? is that the one?

MR. WARFIELD: I guess so, yes. Could you just say a few words on when a contract employee's time is creditable and when it isn't?

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MR. ECHOLS: Well, I think as of this moment we have limited this to people who are careerists, and who are employees, of course, and at the present time I believe we have only identified one type of contract employee as a careerist and that is the career agent. As of this moment there are no others we have considered. Now we haven't precluded that we might possibly have a careerist or career employee who might be other than a career agent, but as of this moment we have only identified this one group, as I recall.

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[REDACTED] But we have had prior cases where we gave credit for contract time, as opposed to a contract agent--

MR. ECHOLS: Yes, we have done so -- because if his subsequent history proves that a man was indeed a careerist, even though some period of his time was as a contract employee, I would think that the facts would sustain crediting such service.

MR. WARFIELD: This case looked to me pretty much like a career employee.

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[REDACTED] He did have one period as an independent contractor which we did not count. The period 19 August 1958 to 13 March 1960 - that period was taken out.

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[REDACTED] Yes, but it shows also -- at least the pencil notation on mine does -- that the 1951-1952 contract was not creditable -- is that right?

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[REDACTED] Yes.

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[REDACTED] Why is that?

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[REDACTED] I take it that was again an independent contract.

[REDACTED] If that is the case, it's understandable. An

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independent contractor I don't think could ever be construed, really--

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[REDACTED] I have totalled up his total period of staff employment and contract employment, and it goes from 4 March 1954 up to March 1955, which gives him a period of one year and seven days -- a staff agent two years, six months, and six days -- and I omitted the contract agent time -- and gave him credit for six years, four months, and 18 days of staff employee time, which comes to a total of ten years, nine months, and 26 days of service creditable for the System.

MR. WARFIELD: I don't want to belabor this -- apparently everyone else is clear on it -- but it just depends upon the nature of the duties, is that correct? -- not to which retirement system you are contributing. What are the guidelines?

MR. ECHOLS: Well, as I said, this is a retirement system for employees only, so independent contractors are automatically excluded -- right? Any question on that?

MR. WARFIELD: No.

MR. ECHOLS: Now, a contract employee. We have many, many contract employees, for whom we generally contemplate short-term employment -- generally they're with us two years, three years, four years, and they disappear from the scene. They clearly are never careerists. They would never qualify or have occasion to qualify for this system. But I think we have looked at cases where a man may have started his career with the Agency as a contract employee and later been converted to a staff employee, and we have seen fit to consider his earlier period as being creditable because, (a) history has proven he is a careerist, and (b) there was no question that he was an employee. So this seems perfectly rational to me.

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[REDACTED] I think some of this confusion stems from the possible misapplication of terms back in the earlier days when "contract agent" wasn't a true application of the term -- the duties of the individual were more of a contract employee situation. And we have on other occasions allowed creditable service for someone who was hired as a contract agent back in the early days when it turned out that the prescribed duties of the employment situation was more those of an employee. I think as we use these terms now they are more clearly defined, and there shouldn't be this continuing confusion.

MR. ECHOLS: I think that is unquestionably true.

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MR. WARFIELD: We have all these [REDACTED] people -- a lot of those people will become careerists. Are we anticipating their service now will be counted--

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[REDACTED] Yes.

MR. ECHOLS: Yes. They are all contract employees -- they're not independent contractors -- so there would be no question about them if they're converted.

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But I think [REDACTED] is right, that in the old days we did have some people we called independent contracts, but we know that if we examined the facts they would prove they were in an employee relationship with the Agency.

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[REDACTED] The [REDACTED] had a whole 25X1A6a series of them.

MR. ECHOLS: That's right. I think we can very properly, and should, ignore the terms of the contract when fact dictates otherwise -- but we would have to examine each case very carefully.

MR. WARFIELD: I have no other question.

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[REDACTED] I second the motion on Group C.

. . . . This motion was then passed

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MR. ECHOLS: We have one application for voluntary retirement -- [REDACTED] -- to be effective 31 October. Her request has been endorsed by the Head of her Career Service, and she has performed more than 60 months of qualifying service. She is in the Training Career Service.

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[REDACTED] Mr. Chairman, I move that

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[REDACTED] be retired.

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[REDACTED]: Second.

. . . . This motion was then passed

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[REDACTED] What is the cumulative total of retirements now under the CIA System?

MR. ECHOLS: As of this moment we have 55 retirements and 13 deaths in service -- a total of 68. 31 have been voluntary, two have been disability, and 22 have been mandatory or in lieu of adverse action.

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[REDACTED] How long does that block of the first 500 have to run now?

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[REDACTED] 30 June 1969.

Mr. Helms in making the opening statement on our Bill we took to the Committee the other day gave a brief report to the Committee on what we have done with the Retirement System. I don't

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think it included anything that anyone here doesn't know, but would you all like to have copies of it to see what he did say to them? (Members indicated in the affirmative.) He reported on how many people were screened, how many were in the System, how many we had retired - that kind of thing.

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[REDACTED]

Do the deaths count in the quota?

MR. ECHOLS: No.

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[REDACTED]

So really only 55 out of a five year quota of 400 have so far been used.

MR. ECHOLS: 53.

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[REDACTED]

Two are disability.

MR. WARFIELD: Was the Committee interested in

knowing how many had been involuntarily separated?

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[REDACTED]

No.

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[REDACTED]

As far as you know, will it be our intention to try to get Congressional approval to carry over whatever is left over into the next five year period?

MR. ECHOLS: Not unless there is a demonstrated need,

Gerry. You start on another block at that point.

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[REDACTED]

Of course if our forecast, say a year or two years before the second five-year period starts, suggests that the 400 is going to be a problem, the door was left open for us to go back with the facts and seek a higher number. I don't think, really, we're going to have any problem with it.

MR. ECHOLS: Certainly in the second five years if we went back for more, if we pointed out that we hadn't used the 400 in the first five years it might ease things a bit. But I don't see any problem in this area, myself.

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MR. WARFIELD: Has the average age of the Agency changed appreciably in the past few years?

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[REDACTED] Yes -- it's shattering! -- in six years it has gone up four and a half years, or something like that. I saw this in something you (indicating Mr. Echols) put out.

MR. ECHOLS: Well, I can see it, very easily, of course, with the input of young kids that we have had.

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[REDACTED] But the fact that the average age has gone in six years up four and a half years shows you how rapidly the Agency is aging.

MR. ECHOLS: I might mention one thing. On this business of 55/30 retirement without reduction in annuity, we are preparing a detailed study on the Agency's early retirement policy and trying to get some facts and figures together, and some argumentation both pro and con on either lowering or retaining or eliminating in the non-operational field the 30 year retirement policy. And we have been asked to present this discussion, if you will, in a paper to both this Board and the other Agency Board, and I presume would go back to the various Directorates for them to look at it. Just what will come out of it, I don't know. I know what I personally feel -- but that is irrelevant. And I think we can have that very shortly -- in a couple of weeks.

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[REDACTED] Emmett, the thing that will be very relevant and very important will be a comparable set of statistics on the Foreign Service and the officer grades in the military services. Jack

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[REDACTED] did this, and he got these other figures, I think, from some office in Congress, actually. He will immediately remember the document of

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which I speak. And they were revealing -- because at least in theory we're competing for young men who are 22 to 25 years of age with the Foreign Service and the military services for college graduates -- that is really the size of it -- and it has always seemed to me that we have to stay comparative, in a statistical sense, in what we offer young men. There has been some concern recently that we are not really getting quite the caliber that we have had at some times in the history of the Agency. And very often when people speak of this they talk about how good a selling job is done by the recruiters, and how effective our recruiting mechanism is, and whether we're looking at the right universities and the right age groups. It's very rare that anyone faces up to the statistics of what a career in the Foreign Service, the Central Intelligence Agency, and the Armed Forces offers a young man with a comparable educational background. The last statistics I saw on this were at least six or seven years ago, although we used them in a study five years ago in the Clandestine Services when we were trying to figure out a promotion policy for handling the JOT's at that time.

MR. ECHOLS: You're looking at this problem of retirement age level in terms of its impact upon your progression capability for the young guy, is that it?

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[REDACTED] Yes, sir.

MR. ECHOLS: I do -- I believe this is one of the major arguments for a relatively early retirement age.

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[REDACTED] But it's double-edged, you see -- and you have to look at both sides -- and I think any examination that doesn't take both the retirement program and the head space opportunity into consideration-- You see, in the latter group you are appealing to

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those young men and women who are already aboard and aspire to move ahead more rapidly, but in the former you're talking about a statistic that will be interesting to the potential employee.

MR. ECHOLS: Well, there are some hot arguments pro and con on what the proper policy for this Agency is. I'm quite satisfied with our present one, but it may not be the best one for us.

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[REDACTED] I take it you are looking at it from the point of view of leaving it right where it is, or having one policy for both Systems?

MR. ECHOLS: Let's leave this CIA Retirement System alone, because this System has a mandatory, legal retirement age, and so on. Now we're looking at the rest of the Agency, and age 60 is our basic retirement policy -- basically our policy is retirement at age 60. Now, is this too high? too low? should it be changed? should it be eliminated? Some people say we solved our major retirement problem when we got this additional Retirement System, therefore we no longer need this on an Agency-wide basis -- and I don't know whether this is valid or not. Is there a reason for an early retirement policy in the Agency as a whole? I believe there is, but a lot of people disagree with that. I have heard senior people say that they feel they have lost more outstanding people because of our age 60 retirement policy than they have gotten rid of people who were becoming problems - who weren't producing or were becoming personality problems, etc. I don't know where the balance is here, or how valid that is.

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[REDACTED] Well, I personally feel that we ought to have one policy on retirement and people ought to retire at that age -- ought to be heading toward this -- and that we should have in addition to that

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a policy of reemployment, rehiring, or whatever, so that the outstanding people that you're talking about could always be rehired if they were needed.

MR. ECHOLS: In other words, you would favor a relatively early mandatory retirement age, with reemployment of those whose services are exceptionally valuable.

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[REDACTED] I favor 30 years, myself -- 30 years' service, regardless of age.

MR. ECHOLS: I would think that age would be the critical factor, rather than service.

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[REDACTED] Well, I'll say 55 with 30 years' service -- I'll amend my statement.

MR. ECHOLS: But which is dominant in your mind, the age or the years of service?

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[REDACTED] Well, I don't know, I think they work right along together. They seem to with Congress, so why shouldn't they with me?

MR. ECHOLS: Well, Congress requires 30 years of service figuring that the Federal Government isn't getting its money's worth out of you until you work for them for 30 years.

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[REDACTED] I think that is about the right formula.

MR. ECHOLS: But there is the other side of the coin: at what age should we begin to expect a decline in the quality of the performance of our personnel en masse?

MR. WARFIELD: I think a lot could be said for the way the Navy does it - if you get passed over twice on promotions -- in other words, if you have not been good enough to promote they drop you by the wayside -- isn't that the way it works?

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technicians who have some technical skill we would probably want to keep -- why get rid of a translator?

MR. ECHOLS: Yes, and who may never be promoted but will do a wonderful job.

Any other new business, or any other discussion?

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[REDACTED] Is the idea of reviewing this policy -- the way it is now on the books, as passed by Congress, it's up to the employee - he has the option to leave at 60 with 30 years' service -- and the idea here is to review whether the Agency policy that is on the books is going to be modified because of this more recent expression of--

MR. ECHOLS: Well, the language of our present Regulation has to be changed because of this change in law. The change in the law drops the age from 60 to 55. And so we don't intend and our policy shouldn't be interpreted that for some people we're saying, "You must retire - we expect you to retire at 55" -- so we have to change the wording of our Regulation. But then this automatically brings up for discussion, at least, is our present policy a good one? should the retirement age for the rest of the Agency outside of the CIA Retirement System be different than for those under the CIA Retirement System? Should it be identical? Should we lower it? I don't know. So we're going to try to at least come up with a good discussion paper and get it to the Boards.

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[REDACTED] Well, I think a lowering of the retirement age is inevitable if you've got the majority of the population now 21 or below -- I mean, that pressure of these people coming up behind and competing for jobs is going to get worse and worse and worse.

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MR. ECHOLS: This may be true, but if it so happens that on a nation-wide basis they force earlier retirements, you can rest assured there will have to be better and better provisions for annuitants, so that these people won't be starving to death, and so on -- and I don't think we or any other agency can afford to be out of phase with this development, and if we start forcing a politically or nationally unacceptable age for retirement, we're in trouble, I think -- and I think if we said our policy is retirement at 55, I think we would be politically murdered if we tried to enforce such a policy.

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By whom?

After 30 years?

MR. ECHOLS: Yes -- mandatory -- because we know Congress just brutally turned down and wouldn't even consider--

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But we have been pushing them out ten years before the age to which Congress said they should be allowed to work and I haven't heard of any rumblings on the Hill about that. This seems to me to be wholly consistent with our previous position.

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That is what I think.

MR. ECHOLS: Can you shove it down to 55? Congress just said "no".

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I think you can -- the real question is whether you want to.

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I think the number of appeal cases which might result in litigation would increase -- from employees who don't wish to retire at 55.

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But actually, if you look at the Agency, we haven't yet established a real retirement policy -- at least we haven't

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in terms of the generation that is coming along -- we always think of it in present terms. I mean, if you think of it in terms of 10, 20 years from now, we need to establish a policy, and the reason we need it is not for our benefit but for the benefit of the employee, because unless he knows that there is a firm, strong policy, just due to human inertia in most cases a fellow never gets prepared for it. We have called in people -- just to take samplings -- that were going to face retirement in the next five years, and we called in about 25 such cases and asked these people what they were doing in relation to their upcoming retirement, and the answer, without exception, was, "Nothing -- just haven't gotten around to thinking about it yet."

MR. WARFIELD: Of course there isn't a whole lot one can do except go out and find a job now, and leave.

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██████████ Well, there is certainly an awful lot you can do in terms of preparing for a second career, if you want it, if you start early enough -- I mean, you can obtain skills of other kinds by an educational process, for instance.

MR. ECHOLS: I'm not sure most people will want to acquire new skills -- I think they would rather coast through life on the skills they feel they already have.

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██████████: Of course, the military are now turning out large numbers of officers about 50, 52, 53, that have reached the level of Colonel and are being retired after 30 years of service, and they don't take it as being too early a retirement in their profession. Of course those that have been selected for General are being held on.

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██████████ But many of these fellows are given the opportunity on military time to take their master's degree. I have a

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cousin, for instance, who retired as a Colonel, and he was given practically two years' time to prepare himself to take his master's -- and he is in a university now. But I think the Army particularly has carried on a big educational process with their people to prepare them for retirement. In other words, most people, sure, prefer to drift along, but if this thing is driven home by an educational process within the organization for which he works, he commences to face up to it and at least decides whether he is going to drift or not drift, as a conscious decision. This I think we've got to come to.

MR. ECHOLS: Well, I think we have done that for some time -- perhaps to an inadequate degree.

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[REDACTED] We have had two retirement concepts, at least, to worry about, and we have never tried to bring them really closely into -- no efforts of ours have tried to bring them together. There is no reason I know of why we have to have the Civil Service Retirement System at all, is there?

MR. ECHOLS: By law you are covered unless you are covered by some other system.

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[REDACTED] But I mean the Director could fix the terms of his own retirement system, couldn't he? actually?

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[REDACTED] Not without new legislation.

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[REDACTED] I always thought the Director exercised an option to go along with the Civil Service standards.

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[REDACTED] No, that is just the Classification Act.

[REDACTED] Oh, just as far as classification? But that takes care of pay -- isn't it just one ball of wax?

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[REDACTED] The classification and pay are two balls of wax.

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MR. ECHOLS: The Classification Act is one, and the Federal Employees' Pay Act is another body of Civil Service rules.

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[REDACTED] You (indicating [REDACTED] feel the [REDACTED] should be one system for all Agency employees, whether they have what we call qualifying service or not?

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[REDACTED] What I'm talking about are retirement dates, primarily -- I think we should have uniform retirement dates -- and I think they ought to be absolutely enforced, just like the military do it. I think that is the only way you are ever going to have a workable system. But I do think that we can afford to have a post-retirement reemployment or contract system to keep people on if we need them. But I do think that giving numerous extensions just encourages people to think that - "Well, I'm going to get an extension" --

MR. ECHOLS: In other words, you think the uniformity of policy in itself dictates this conclusion? - that the benefits derived from a uniform policy dictate a uniform policy?

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[REDACTED] Yes.

MR. ECHOLS: This was the original reason that the DD/I and everybody else - we all got together and accepted the present policy, before we had this system -- but now people are leaning the other way in many areas.

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Well, there will be lots of discussion on this, I guess.

[REDACTED] I think the reasons why people hold various views are more interesting than the views themselves sometimes.

MR. ECHOLS: Well, Bob Fuchs, for example, recently made a very strenuous plea -- and I wasn't present but I'm told he backed this up with facts, figures, names, and what not -- and he indicated that he

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had lost some very valuable, experienced employees -- that he lost more people that he would rather not have lost, under the age 60 policy, than he had gotten rid of people who had shot their wad, so to speak, or who had become personality problems, etc. So to him our present policy has proven to be a net loss to the Agency and to his Service -- or so he says, or so he thinks.

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██████████ He just didn't have guys that were as good moving up the line.

MR. ECHOLS: That is right. That may be just a coincidence of the age cycle in his particular Service -- so a matter of the moment, in other words, rather than a long-range policy.

MR. WARFIELD: For the past five years accountants have been very, very scarce.

MR. ECHOLS: So I think it's a matter of the moment rather than the long-range policy that he is hurting under.

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██████████ Then all of those people must have had 30 years' service.

MR. ECHOLS: Yes.

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██████████ I wonder, did he lose many at 62?

MR. ECHOLS: I wasn't present, so I don't know what his statistics were.

. . . . The meeting adjourned at 2:50 p.m.